



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Kimberly A. Gillis et al.

Application No.: 09/996,630

Confirmation No. 3476

Filed: November 28, 2001

For: Expression Analysis of KIAA Nucleic Acid and Polypeptides Useful in the Diagnosis and Treatment of Prostate Cancer

Attorney Docket No.: 102729-10

Group Art Unit: 1634

Examiner: Chakrabarti, A.

Certificate of Mailing (37 C.F.R. 1.8(a))	
I hereby certify that this correspondence is being deposited with the United States Postal Service Post Office as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date set forth below.	
<i>11 July 2003</i> Date of Signature and Mail Deposit	By: <i>[Signature]</i> Thomas J. Engellennner Reg. No. 28,711

RESPONSE TO RESTRICTION/ELECTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In the Office Action mailed from the Patent Office on May 27, 2003, the Examiner required election of one of the following patentably distinct groups:

- Group I: Claims 1-22;
- Group II: Claims 23-24, and 49-50;
- Group III: Claims 25-26, and 32-42;
- Group IV: Claims 27-31, and 43-48;

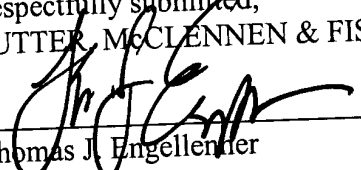
Applicants respectfully traverses the restriction requirement as improper. However, for the purpose of being responsive to the instant Office Action, Applicants hereby elect the Group I claims (drawn to methods for diagnosis of a disease).

Applicants' understanding is that the Examiner views Group I claims directed to diagnosing prostate cancer with KIAA, Group II claims directed to assessing the treatment of prostate cancer with KIAA, Group III claims directed to screening prostate cancer drugs with KIAA, and Group IV claims directed to treating prostate cancer with KIAA.

Reconsideration is requested because all groups are directed to prostate cancer and KIAA. It appears that a single search should suffice for examination of all aspects of this invention.

Date: 11 July 2003

Respectfully submitted,
NUTTER, MCLENNEN & FISH, LLP


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